

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, APRIL 27, 2006
8:30 A.M.**

Commissioners Present: Deb Schorr, Chair
Bob Workman, Vice Chair
Larry Hudkins
Bernie Heier

Commissioners Absent: Ray Stevens

Others Present: Kerry Eagan, Chief Administrative Officer
Gwen Thorpe, Deputy Chief Administrative Officer
Kristy Mundt, Deputy County Attorney
Trish Owen, Chief Deputy County Clerk
Ann Taylor, County Clerk's Office

The Chair opened the meeting at 8:31 a.m.

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, APRIL 20, 2006

MOTION: Hudkins moved and Workman seconded approval of the Staff Meeting minutes of April 20, 2006. Hudkins, Workman, Heier and Schorr voted aye. Motion carried.

2 ADDITIONS TO THE AGENDA

- A. Jail Checking Account
- B. Victim/Witness Luncheon

MOTION: Hudkins moved and Heier seconded approval of the additions to the agenda. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

3 COMMUNITY MENTAL HEALTH CENTER (CMHC) OPERATING SYSTEM - Dean Settle, Community Mental Health Center Director; Terry Lowe, Information Services (IS) Systems Development Coordinator

Terry Lowe, Information Services (IS) Systems Development Coordinator, presented a proposal for development of an operating system for CMHC that will dovetail with the General Assistance (GA) system (Exhibit A):

- ▶ Phase One: Client/Case Management System (2006-07) (\$99,400-\$113,600)
- ▶ Phase Two: Financial/Administrative Management System (2007-08) (\$85,200-\$99,400)
- ▶ Phase Three: Option Modules (Future) (\$28,400-\$56,800)

Dean Settle, Community Mental Health Center Director, stressed that there is also a need for an Internal IS Coordinator.

Schorr noted discussions at Region V of the need for interactive systems and asked about funding for planning.

Settle said the Agency for Healthcare Research and Quality (AHRQ) provided a one-year planning grant to coordinate the efforts of the behavioral health agencies in Region V. He said efforts to secure an implementation grant have been unsuccessful, to date, and went on to explain that was for a rural system of services.

Budget issues and possible cost savings were discussed.

Lowe noted savings in the amount of \$600 in the County Attorney/Public Defender Case Management System Project and said those savings could be shifted to this project.

MOTION: Hudkins moved and Workman seconded to: 1) Authorize Information Services to proceed with Phase One and evaluate the rest of the project as the budget is developed; and 2) Try to market the software and stipulate that those revenues, if any, would go to the Mental Health Budget. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

ADDITIONS TO THE AGENDA

MOTION: Heier moved and Hudkins seconded to add a Tax Equalization and Review Commission (TERC) update to the agenda. Workman, Hudkins, Heier and Schorr voted aye. Motion carried

Norm Agena, County Assessor/Register of Deeds, appeared and said the Tax Equalization and Review Commission (TERC) has ruled that Lancaster County is within the acceptable range of residential property values.

- 4 **A) SHERIFF'S SHOOTING RANGE (SOUTHWEST 12TH STREET AND HIGHWAY 33); AND B) CONVERSION OF COURT OFFICER POSITION TO DEPUTY SHERIFF** - Terry Wagner, Lancaster County Sheriff; Bill Jarrett, Chief Deputy Sheriff

A) Sheriff's Shooting Range

Bill Jarrett, Chief Deputy Sheriff, requested the following: 1) Authorization to remove a dilapidated tire house at the shooting range (approximately \$6,000 will be required for its removal if grant funding does not come through); and 2) Replacement of a deteriorated mobile home that is used as an indoor training facility with a pre-manufactured structure that would sit on a foundation (estimated cost of \$86,000). He proposed that funding come from one of the following sources: 1) A reimbursement check (\$89,985) from the Federal Emergency Management Agency (FEMA) for donated resources for the May, 2004 Hallam tornado; or 2) Reimbursement for property and equipment loss (\$115,390 was received and approximately \$25,000 has been expended) from the September 2005 water main break in the Hall of Justice. Jarrett reported that he has secured a long-term lease into 2015, with no increase in the lease amount.

Dave Kroeker, Budget and Fiscal Officer, said there is \$81,830 in the Building Fund from the flood reimbursement that could be earmarked for the expense.

MOTION: Workman moved and Hudkins seconded to: 1) Authorize the Sheriff's Office to proceed with the project, with funding up to \$82,000 from next year's budget; and 2) Direct the Sheriff's Office to aggressively seek revenue by leasing the facility to other law enforcement agencies.

Jarrett said he would like to proceed with removal of the tire house as soon as possible, using the Jail Crew.

The maker of motion and the seconder agreed to allow funds for that work to come out of this year's budget.

Hudkins asked that the Sheriff's Department check with the Lincoln-Lancaster County Health Department Environmental Public Health Division to see whether a company in Missouri would be interested in the tires.

Jarrett said he is working with Environmental Public Health on a grant for their disposal.

ROLL CALL: Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

B) Conversion of Court Officer Position to Deputy Sheriff

Terry Wagner, Lancaster County Sheriff, requested authorization to convert a vacant Court Officer position to a Deputy Sheriff, explaining that Court Officer duties are limited in scope.

MOTION: Hudkins moved and Heier seconded approval of the request. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

- 5 **A) COUNTY SPECIAL PERMIT NO. 06020, VETERINARY FACILITY AT NORTH 84TH STREET AND BRANCHED OAK ROAD; B) COUNTY FINAL PLAT NO. 05097, FOUR STONES ADDITION, MILE SECTION OF SOUTHWEST 14TH TO SOUTHWEST 29TH STREET AND WEST STAGECOACH ROAD TO WEST PANAMA ROAD; C) COUNTY BOARD OF ZONING APPEALS NO. 06001, VARIANCE OF LOT AREA, WIDTH AND MINIMUM FRONTAGE, 2840 WEST MARTELL ROAD - Mike DeKalb, Planning Department**

A) County Special Permit No. 06020

Mike DeKalb, Planning Department, gave an overview of County Special Permit No. 06020, a request for authorization to operate a veterinary facility on property at North 84th Street and Branched Oak Road (Exhibit B). Planning staff and the Planning Commission have recommended conditional approval.

In response to a question from Workman, DeKalb said a farmer to the east has expressed concern that horse waste may come downstream into his pond.

Hudkins asked what type of treatment facility will be used.

Steve Gruber, representing the applicant, appeared and said there will be a septic system and said there should be zero runoff.

DeKalb said it is a specialty system with a specialized treatment plant.

Hudkins and suggested looking at a system used in Bowling Green, Ohio for the Humane Society.

Heier suggested limiting the number of houses and individuals in residence.

DeKalb said the special permit limits the number of veterinary students that can stay at the facility to three. An amendment would be required if expansion is desired.

B) County Final Plat No. 05097

DeKalb gave an overview of County Final Plat No. 05097, Four Stones Addition, a final plat consisting of 14 lots and 5 outlots on property located in the mile section bounded by Southwest 14th Street to Southwest 29th Street and West Stagecoach Road to West

Panama Road (Exhibit C). Planning staff and the Planning Commission have recommended conditional approval.

C) County Board of Zoning Appeals No. 06001

DeKalb gave an overview of County Zoning Appeals No. 06001, a request for a variance for the lot area, width and minimum frontage on property located at 2840 West Martell Road (Exhibit D). He said the intent is to clear up the creation of a lot in 1972 without benefit of subdivision and with less area than required at the time by County Zoning Regulations. The County Board of Zoning Appeals has recommended approval.

Heier exited the meeting at 10:00 a.m.

ACTION ITEMS

C. Clarification of Wyndam Place Approval Motion

Kent Seacrest, attorney for the applicant, appeared and presented the final plat drawing that was referenced at the Tuesday, April 25, 2006 Board of Commissioners Meeting (Exhibit E). He also noted an error in the minutes of that meeting. The minutes state that Heier seconded approval of a subdivision agreement for County Final Plat No. 05094, Wyndam Place 2nd Addition. Hudkins was actually the seconder.

MOTION: Hudkins moved and Workman seconded approval of a resolution in the matter of County Final Plat No. 05094, Wyndam Place 2nd Addition. Workman, Hudkins and Schorr voted aye. Heier was absent from voting. Motion carried.

Heier returned to the meeting at 10:11 a.m.

6 TERMINATION NOTICE OF CONTRACT WITH LINCOLN COUNCIL ON ALCOHOLISM AND DRUGS (LCAD) (ACTION REQUIRED) - Kim Etherton, Community Corrections Director

Kim Etherton, Community Corrections Director, recommended termination of the contract with the Lincoln Council on Alcoholism and Drugs (LCAD) for substance use evaluation services for participants in the Lancaster County Adult Drug Court, noting problems with the assessments and the length of time it is taking to get evaluations forwarded to providers. She recommended that the County enter into a contract with Parallels instead. Etherton said there will be a significant difference in the evaluation cost, but said participants are responsible for that cost.

Tina Arsiaga, Parallels, appeared and gave a brief overview of services.

Hudkins asked that the contract with Parallels stipulate a five day turnaround on evaluations.

The Board scheduled the letter of termination and the contract with Parallels on the Tuesday, May 2, 2006 Board of Commissioners Meeting agenda.

7 CEMETERY SIGNS - Russ Shultz, Noxious Weed Control Authority Superintendent

Russ Shultz, Noxious Weed Control Authority Superintendent, displayed the historical marker that will be placed at the Jordan Pioneer Cemetery. He also presented a list of abandoned and neglected cemeteries that have been approved for County care and maintenance (Exhibit F).

The Board scheduled a special presentation on the cemetery historical markers on the Tuesday, May 2, 2006 Board of Commissioners Meeting agenda and tentatively scheduled a press conference on May 16, 2006.

ADDITIONS TO THE AGENDA

A. Jail Checking Account

Mike Thurber, Corrections Director, appeared and discussed recent forgeries that involved counterfeit checks written on the Lancaster County Corrections account (Exhibit G).

B. Victim/Witness Luncheon

Workman said he attended the Victim/Witness Luncheon and learned that grant funding will likely end this year. He proposed that the County enter into an interlocal agreement with the City and agree to fund the Victim Witness Unit in lieu of funding the Lincoln-Lancaster Women's Commission.

Hudkins said the Joint Budget Committee (JBC) might be another funding source.

The Chair and Vice Chair will discuss Workman's proposal with the Mayor at their monthly meeting.

8 REMOVAL OF PAVING AT ENTRANCE TO PRAIRIE CREEK ESTATES (154TH STREET AND VAN DORN STREET) - Larry Worrell, County Surveyor; Bruce Stahr, Prairie Creek Estates Homeowners Association President

Bruce Stahr, Prairie Creek Estates Homeowners Association President, said the private road leading into the Prairie Creek Estates Addition was recently paved. He said County Engineering insisted that the entry radius, which abuts the gravel county road, be taken back out. Stahr said this is an area that will receive a lot of wear and said there are other properties in the County that have a zero foot county road setback. He requested authorization to put that piece of paving back in.

Hudkins asked Larry Worrell, County Surveyor, to explain why his department was adamant that it be removed.

Worrell explained that paving makes maintenance, snow removal and mowing with side-mount mowers difficult. He stated there was no indication of paving in the approved preliminary plat and no notice to his department.

Hudkins asked how landowners would know that notification is necessary.

Worrell said work in the public right-of-way would normally "throw up a red flag", even to a private landowner. He said there have been several instances where this has happened and the driveways have been cut back. Worrell said his department does not have a problem with private owners paving driveways out to a paved road.

Schorr asked whether subdivision agreements state that notification is necessary.

Worrell said yes, if paving is indicated in the subdivision agreement. He added that his department must inspect paving to insure that standards are met.

Heier said he believes a "common sense" approach is needed and said he believes a 3' setback is reasonable.

Worrell said the road is currently sitting 6' back from the edge of the traveled portion of the road and said that is sufficient. He added that his department's original position was to require 33' feet of setback.

Stahr said his road is back more than 6' from the edge of where it was and is lower than the county road.

Hudkins asked Worrell to provide him with an itemized list of damage occurrences.

MOTION: Workman moved and Heier seconded to allow an exception in the case and allow the road to be brought back to where it was, at the owner's expense, with the stipulation that the road be lower than the grade of the county road.

FRIENDLY AMENDMENT: Heier offered a friendly amendment to stipulate a 3' setback from the edge of the road shoulder.

The maker agreed to the friendly amendment.

FRIENDLY AMENDMENT: Schorr offered a friendly amendment to stipulate in the legal document, that should it be necessary to tear the road up at the time that the County paves the road, it will be at the owner's expense.

Worrell said it wouldn't be the owner's responsibility if the road is taken out to regrade Van Dorn Street.

Schorr withdrew her amendment.

ROLL CALL: Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

9 GRANT APPLICATION TO COMMUNITY HEALTH ENDOWMENT FOR METHAMPHETAMINE COMMUNITY ASSESSMENT PROCESS - Kit Boesch, Human Services Administrator

Kit Boesch, Human Services Administrator, requested authorization to submit an application to the Community Health Endowment on behalf of The Substance Abuse Action Coalition for a planning grant to develop a set of recommendations regarding how to address the methamphetamine problem in Lancaster County (Exhibit H). She estimated the budget, which is still being finalized, at \$51,000 and said no county match will be required.

MOTION: Hudkins moved and Workman seconded to authorize Kit Boesch, Human Services Administrator, to submit the grant application, with signature by the Chair. Heier, Hudkins, Workman and Schorr voted aye. Motion carried.

RETURNING TO ITEM 2B

The Board asked Boesch to investigate the matter further and suggest possible funding sources.

10 ACTION ITEMS

- A. Payroll Insert for May 4, 2006 - Nationwide Retirement Solutions (NRS) Presentation Schedule

MOTION: Workman moved and Hudkins seconded approval. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

- B. Microcomputer Request from Election Commission to Purchase Three (3) PC's, 17" Monitors, Scanners, Etc., \$5,930.38 form Election Commission Budget

Eagan said Dave Shively, Election Commissioner, has asked that funding be through the Microcomputer Fund.

MOTION: Heier moved and Hudkins seconded approval of the request, with funding through the Microcomputer Fund. Workman, Heier, Hudkins and Schorr voted aye. Motion carried.

- C. Clarification of Wyndam Place Approval Motion

Item was moved forward on the agenda.

11 ADMINISTRATIVE OFFICER REPORT

- A. Families First & Foremost (F³) Draft Letter to Nebraska Department of Health and Human Services (HHS)

MOTION: Workman moved and Hudkins seconded to authorize the Chair to sign the letter. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

Schorr said she spoke to C. J. Johnson, Program Administrator for the Region V Mental Health, Alcoholism & Drug Abuse Program, and he indicated a willingness to sign a one year lease for space in Trabert Hall (the Families First & Foremost (F³) Grant Program, which occupies space in the building, was transferred to Region V). She noted that he plans to talk to the Region V Governing Board about purchasing a building to meet office space needs in the future.

Eagan recommended that Schorr, who serves on the Region V Governing Board, seek an opinion from the Nebraska Accountability and Disclosure Commission on whether she has a conflict of interest.

- B. Invitation to National Guard/Reserve Orientation, July 19-21, 2006
(Commissioner Workman)

MOTION: Heier moved and Hudkins seconded to authorize Commissioner Workman to attend the National Guard/Reserve Orientation. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

- C. County Board Meeting Time

Item held.

- D. Election Commission/Jury Commissioner Retirements

Eagan said Dave Shively, Election Commissioner, has requested authorization to hire replacements with an overlap for training.

MOTION: Workman moved and Hudkins seconded approval of the request. Hudkins, Heier, Workman and Schorr voted aye. Motion carried.

- E. Lincoln Independent Business Association (LIBA) Request for Information Regarding Lodging Tax Increase

The Board asked Eagan to respond to the request.

- F. Claim for Review, PV #67141, from Public Defender's Office, in the Amount of \$135.93 for Mileage December 21, 2005 Through April 12, 2006

MOTION: Workman moved and Heier to handle the claim through the regular claims process. Workman, Hudkins, Heier and Schorr voted aye. Motion carried.

12 DISCUSSION OF BOARD MEMBER MEETINGS

- A. Joint Budget Committee (JBC) - Workman, Stevens

Workman said requests total \$751,000. He said there was a recommendation to fund \$683,000 (a 3% increase).

- B. Lincoln Independent Business Association (LIBA) Monthly Meeting - Heier, Schorr

Heier said he invited the group to attend the acreage discussion on May 2, 2006.

- C. Downtown Lincoln Association (DLA) - Schorr

Schorr said there were presentations on expansion of the downtown Y.M.C.A. and the Pacific Pals, a program that pairs at-risk youth with college athletes.

- D. Community Mental Health Center (CMHC) Advisory Board - Stevens

No report.

13 ADJOURNMENT

MOTION: Heier moved and Workman seconded to adjourn the meeting at 11:29 a.m. Heier, Workman, Hudkins and Schorr voted aye. Motion carried.

Bruce Medcalf
Lancaster County Clerk